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October 23, 2014

VIA ECF

Honorable Frederic Block
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *Beauvior, Gary et ano. v. Israel, David M.*
Case No. : CV-13-01236
Our File No. : 566-97010

Dear Honorable Sir:

Our office represents the defendant, David M. Israel, Esq. ("Defendant") in the above-referenced Fair Debt Collection Practices Act matter.

As this Court is aware, on October 20, 2014, Defendant filed a motion pursuant to Local Rule 6.3, seeking reconsideration of the Order of this Court, which granted plaintiffs, Gary Beauvior and Husbene Beauvior ("Plaintiffs") permission to file a late notice of appeal.

Defendant erred in submitting a declaration (with accompanying exhibits) in support of the foregoing motion. I realized this mistake upon receiving a communication from Plaintiffs' counsel this morning. Since, however, Defendant was not afforded an opportunity to oppose Plaintiffs' motion, it is respectfully requested that I be permitted to respond to the alleged factual assertions made in Plaintiffs' counsel's declaration, some of which pertain to telephone conversations between us. Therefore, it is respectfully requested that Your Honor consider the declaration and accompanying exhibits, when determining this motion.

Additionally, Defendant will not object if Plaintiffs' counsel wishes to submit a declaration in opposition to the motion.

In the alternative, if Your Honor does not wish to entertain the declaration and supporting exhibits, Defendant will withdraw same, and rely upon its notice of motion and memorandum of law.

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Thank you very much for your consideration of this request.

Respectfully submitted,

L'ABBATE, BALKAN, COLAVITA
& CONTINI, L.L.P.

A handwritten signature in black ink, appearing to read 'Matthew J. Bizzaro', written in a cursive style.

Matthew J. Bizzaro

MJB:

cc: Levi Huebner, Esq. (via ECF)